

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY



(Chapter II of the Patent Cooperation Treaty)

BEST AVAILABLE COPY

Applicant's or agent's file reference	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. PCT/EP2004/051007	International filing date (day/month/year) 03.06.2004	Priority date (day/month/year) 06.06.2003
International Patent Classification (IPC) or national classification and IPC G01S15/87		
Applicant THALES ET AL.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
  - a. ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:
    - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
    - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
  - b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
  - ☒ Box No. I Basis of the report
  - ☐ Box No. II Priority
  - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
  - ☐ Box No. IV Lack of unity of invention
  - ☒ Box No. V Reasoned statement according to Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
  - ☐ Box No. VI Certain documents cited
  - ☐ Box No. VII Certain defects in the international application
  - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 01.04.2005	Date of completion of this report 16.06.2005
Name and mailing address of the IPEA  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Netherlands Tel: +31-70 340-2040 Tx: 31 651 epo nl Fax: +31-70 340-3016	Authorized officer Blondel, F Telephone No. +31 70 340-2611 

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**International application No.  
PCT/EP2004/051007**Box No. I. Basis of the report**

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language insert language, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b)).
  - ☐ publication of the international application (under Rule 12.4).
  - ☐ international preliminary examination (under Rules 55.2 and/or 55.3).
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed

**Description, pages**

1-9 as originally filed

**Claims, No.**

1-12 received 07.04.2005 with the letter of 01.04.2005

**Drawings, sheets**

1/3-3/3 as originally filed

- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages
  - ☐ the claims, Nos.
  - ☐ the drawings, sheets/figs
  - ☐ the sequence listing (*specify*):
  - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)):
- ☐ the description, pages
  - ☐ the claims, Nos.
  - ☐ the drawings, sheets/figs
  - ☐ the sequence listing (*specify*):
  - ☐ any table(s) related to sequence listing (*specify*):

\* If item 4 applies, some or all of those sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY**

International application No.  
PCT/EP2004/051007

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement			
Novelty	Yes:	Claims	1-12
	No:	Claims	None
Inventive Step	Yes:	Claims	1-12
	No:	Claims	None
Industrial Applicability	Yes:	Claims	1-12
	No:	Claims	None

2. Citations and explanations (Rule 70.7)

**See separate sheet**

**BEST AVAILABLE COPY**

**Concerning point V**

It is clearly apparent that the subject matter of the new reworked claims has never yet been disclosed or even suggested by any of the documents cited belonging to the prior art relating to this patent application. In consequence of which, it is apparent that the combination of the technical characteristics of the independent system claim 1 is not included within the prior art and neither does it stem therefrom in an obvious manner. The subject matter of the independent device claim 1 would therefore appear to be able to be considered as novel and inventive (articles 33 (2) and 33 (3) PCT).

The same comment may also be addressed against the content and the subject matter of the application claim 12, "mutatis mutandis".

The system claims 2 to 11 appear to depend directly or indirectly on the system claim 1 and hence also to satisfy, as they stand, the conditions required by the PCT as regards novelty and inventive step.

BEST AVAILABLE COPY